

# Rapaport Law Firm

Marc A. Rapaport\*  
Tel (212) 382-1600  
Fax (212) 382-0920  
mrpaport@rapaportlaw.com

\*Member NY & NJ Bars

February 13, 2023

**Via ECF**

Honorable Gabriel W. Gorenstein  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMORANDUM ENDORSED**

**Re: Trinidad et al. v. 62 Realty, LLC et al.**  
**Case No. 1:22-cv-101 (JLR) (GWG)**

Dear Judge Gorenstein:

We represent Plaintiffs in the above-referenced matter, which involves wage claims under the Fair Labor Standards Act and New York Labor Law. Last Friday (February 10, 2023) was the deadline for the parties to submit their signed settlement agreement, together with their joint letter application for approval pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). The parties have made significant headway in resolving their disagreements concerning the language in the settlement agreement, and have agreed on the language of the joint *Cheeks* application. However, despite their best efforts, the parties were unable to meet last Friday's deadline for submitting the signed agreement. For these reasons, the parties jointly request an extension (*i.e.*, to February 20, 2023) of the *Cheeks* deadline.

Because the deadlines for Plaintiffs to produce their billing records and file their legal fees request are, respectively, two and fourteen days after approval of the settlement agreement, the requested adjournment will effectively reciprocally extend both of those deadlines by seven days. No other deadlines or scheduled appearances will be affected by the requested adjournment. This is the third request to adjourn the deadline for the *Cheeks* application.

The parties appreciate the Court's attention to this request.

Respectfully,



Marc A. Rapaport

Extension to February 21, 2023, granted.

So Ordered.

cc: By ECF:  
Alan Smikun, Esq.  
Emanuel Kataev, Esq.

  
GABRIEL W. GORENSTEIN  
United States Magistrate Judge

February 13, 2023